



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/712,190	11/12/2003	Ralph E. Wesinger JR.	GRAPH-003COE	8294
28661	7590	09/25/2006	EXAMINER	
SIERRA PATENT GROUP, LTD. 1657 Hwy 395, Suite 202 Minden, NV 89423			ZIA, SYED	
			ART UNIT	PAPER NUMBER
			2131	

DATE MAILED: 09/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/712,190	Applicant(s) WESINGER ET AL.	
	Examiner Syed Zia	Art Unit 2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This office action is in response to amendment filed on July 05, 2006. Original application contained Claims 1-5. Applicant previously submitted a preliminary amendment canceling original Claims and adding new claims 6-25. Applicant currently amended Claims 1, 11, 16, and 21. The amendment filed have been entered and made of record. Presently pending claims are 6-25.

Response to Arguments

Applicant's arguments filed on July 05, 2006 have been fully considered but they are not persuasive because of the following reasons:

Regarding Claims 1 applicants argued that the cited prior arts (CPA) [Vu (U. S. Patent 5,623,601)] do not teach, "*providing an remote interface, to configure the firewall, such as web browser*".

This is not found persuasive. The system of cited prior art teaches a method for providing secure gateway between private and outside networks that relates to disabling communications packet forwarding at gateway and processing any packet with matching network encapsulation address. The system of cited prior art also provide an interface for administrator for configuring the firewall remotely based on rules.

Art Unit: 2131

As a result, the system of cited prior art does implement and teaches a system and method that relates to a combination of computer hardware and software that selectively allows acceptable computer transmissions to pass through it and disallows other non-acceptable computer transmissions (summary, col.5 line 13 to col.7 line 20 to line 34, col.11 line 1 to line col.12 line 60, and col.18 line 38 to line 44).

Applicants clearly have failed to explicitly identify specific claim limitations, which would define a patentable distinction over prior arts.

The examiner is not trying to teach the invention but is merely trying to interpret the claim language in its broadest and reasonable meaning. The examiner will not interpret to read narrowly the claim language to read exactly from the specification, but will interpret the claim language in the broadest reasonable interpretation in view of the specification. Therefore, the examiner asserts that cited prior art does teach or suggest the subject matter broadly recited in independent Claims 6, 11, 16, and 21 and in subsequent dependent Claims. Accordingly, rejections for claims 6-25 are respectfully maintained.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 6-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Vu (U. S. Patent 5,623,601).

1. Regarding Claims 6, and 21 Vu teaches and describes secure gateways which serve as firewall between computer networks to inhibit electronic vandalism, furthermore, vu teaches a remotely configurable firewall (Fig.1) comprising:

a firewall comprising at least one virtual host for providing network connectivity between a source and destination of IP-compliant traffic, the at least one virtual host having associated configuration files (Fig.1 col.5 line 13 to col. 6 line 14, and col.7 line 20 to line 34);

a configuration virtual host operatively disposed in said firewall, said host including an HTML-based configuration interface for allowing remote management of configuration files over an IP-compliant connection, and wherein said firewall may be remotely configured using a point-and-click interface provided by said HTML-based configuration interface (col.6 line 14 to line 43, and col.11 line 1 to line 34, col.12 line 35 to line 60, and col.18 line 38 to line 44).

2. Regarding Claims 11, and 16 Vu teaches and describes secure gateways which serve as firewall between computer networks to inhibit electronic vandalism, furthermore, vu teaches an apparatus for remotely configuring a gateway device (Fig.1) comprising:

gateway device means for providing network connectivity between a source and destination of IP-compliant traffic Fig.1 col.5 line 13 to col. 6 line 14, and col.7 line 20 to line 34);

Art Unit: 2131

configuration means for configuring said gateway device means; remote management means for remotely managing said configuration means, the remote management means comprising an HTML-based configuration interface for allowing remote management of said configuration means over an IP-compliant connection, and means for providing a point-and-click interface provided for said HTML-based configuration interface (col.6 line 14 to line 43, and col.11 line 1 to line 34, col.12 line 35 to line 60, and col.18 line 38 to line 44).

3. Claims 7-10, 12-15, 17-20, and 22-25 are rejected applied as above rejecting Claims 6, 11, 16, and 20. Furthermore, Vu teaches and describes, wherein:

said remote management of said configuration files is only allowed from a specified secure client (col.5line 16 to line 40).

a plurality of virtual hosts may be configured using said configuration virtual host (col.8 line 28 to line 36) .

a remote user is authenticated prior to being granted access to said configuration interface (col.7 line 48 to col.8 line 5).

said remote management of said configuration files occurs using a Web browser (col.7 line 20 to line 28, and col.18 line 28 to line 44).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Syed Zia whose telephone number is 571-272-3798. The examiner can normally be reached on 9:00 to 5:00.

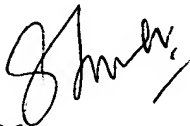
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2131

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SZ

September 04, 2006

A handwritten signature in black ink, appearing to be "J. M. Smith" or similar, written over the date.